

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION FILE
)	
BRAD RAFFENSPERGER, et)	NO. 1:17-cv-2989-AT
al.,)	
)	
Defendant.)	

**STATE DEFENDANTS' OBJECTIONS AND RESPONSES TO
PLAINTIFFS' SECOND JOINT REQUEST FOR PRODUCTION OF
DOCUMENTS AND INSPECTION OF THINGS TO STATE
DEFENDANTS**

COME NOW Defendants Secretary of State Brad Raffensperger, the State Election Board, and the State Election Board Members (collectively, the "State Defendants"), in their official capacities by and through their counsel of record and respond to Plaintiffs' Second Joint Request for Production of Documents and Inspection of Things to State Defendants as follows:

RESPONSES TO REQUESTS

Request for Production No. 9:

Any reports, studies, findings, audits, evaluations, and/or assessments of actual or potential security breaches or vulnerabilities associated with the Election System since August 1, 2019, including but not limited to new, updated, or supplemental reports prepared by Fortalice Solutions or similar

consultants (*see e.g.*, October 2017 Fortalice Report, Dkt. No 510-5 (PAYTON000001), November 2018 Fortalice Report, Dkt. No 510-6 (PAYTON000070), February 2018 Fortalice Report, Dkt. No 510-7 (PAYTON000120)).

Response: State Defendants object to this Request as it seeks documents that may contain confidential information, trade secrets, sensitive election security information, and/or state secrets. State Defendants will not provide any documents which contain confidential information, trade secrets, sensitive election security information, and/or state secrets, except pursuant to an appropriate protective order. State Defendants further object to this Request as it is unduly burdensome, vague, and overly broad because (1) it requires an extensive search for documents while election officials are conducting elections; (2) there is no pending preliminary-injunction motion and it is too late for any further relief to be ordered for the November 2020 elections, *see Republican Nat'l Comm. v. Democratic Nat'l Comm.*, 140 S. Ct. 1205, 1207 (2020); *Purcell v. Gonzalez*, 549 U. S. 1 (2006) (*per curiam*); (3) it requests documents that are unrelated to the claims and defenses in this case.

Subject to and without waiving the foregoing objections, State Defendants will produce non-privileged documents responsive to and within the non-objectionable scope of this Request that are located following a reasonable search.

This 18th day of August, 2020.

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